

COPY

## DECLARATION AND POWER OF ATTORNEY

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**EXTRAVASCULAR BYPASS GRAFTING METHOD UTILIZING AN  
 INTRAVASCULAR APPROACH**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/111,082</u> (Application Serial No.)	<u>07/07/98</u> (Filing Date)	<u>Pending</u> (Status) (Patented, Pending, Abandoned)
<u>09/090,598</u> (Application Serial No.)	<u>08/04/98</u> (Filing Date)	<u>Patented (Patent No. 5,934,286)</u> (Status) (Patented, Pending, Abandoned)
<u>09/073,336</u> (Application Serial No.)	<u>05/05/98</u> (Filing Date)	<u>Patented (Patent No. 5,978,455)</u> (Status) (Patented, Pending, Abandoned)
<u>08/702,742</u> (Application Serial No.)	<u>08/23/96</u> (Filing Date)	<u>Patented (Patent No. 5,749,375)</u> (Status) (Patented, Pending, Abandoned)
<u>08/391,960</u> (Application Serial No.)	<u>02/21/95</u> (Filing Date)	<u>Patented (Patent No. 5,571,167)</u> (Status) (Patented, Pending, Abandoned)

<u>08/138,812</u> (Application Serial No.)	<u>10/18/93</u> (Filing Date)	<u>Patented (Patent No. 5,456,712)</u> (Status) (Patented, Pending, Abandoned)
<u>08/056,371</u> (Application Serial No.)	<u>05/03/93</u> (Filing Date)	<u>Patented (Patent No. 5,304,270)</u> (Status) (Patented, Pending, Abandoned)
<u>07/725,597</u> (Application Serial No.)	<u>07/03/91</u> (Filing Date)	<u>Patented (Patent No. 5,211,883)</u> (Status) (Patented, Pending, Abandoned)

I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Paul J. Maginot, Registration No. 34,984  
Bradford G. Addison, Registration No. 41,486  
Harold C. Moore, Registration No. 37,882  
Bruce J. Bowman, Registration No. 35,458  
Shawn D. Bauer, Registration No. 41,603  
Gerald W. Roberts, Registration No. 45,048

Address all telephone calls to: Paul J. Maginot at (317) 638-2922

Address all correspondence to: Maginot, Addison & Moore  
Bank One Center/Tower  
111 Monument Circle, Suite 3000  
Indianapolis, Indiana 46204

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Thomas J. Maginot  
Thomas J. Maginot  
12/30/99  
741 Meadow Lane  
Crown Point, Indiana 46307  
United States of America  
Same as above